

Serial No. 10/089,777
Docket No. KEL 0124 PA

REMARKS

Claims 77, 78, 80-92 are allowed. By this amendment, dependent claims 8-10, 19-22, 36, 43-45 and 98-99 have been rewritten in independent form, claims 1, 24, 46, 47, 50-76, 79, 93 and 103 have been cancelled, and new claims 104-116 have been added. Accordingly, claims 2-23, 25-45, 48-49, 77, 78, 80-92, 94-102, and 104-116 are pending in this application.

Restriction Requirement

The Applicants confirm that election to prosecute the invention drawn to an apparatus. The withdrawn claims 50-76 and 79 have been cancelled (without prejudice) by the above amendments to the claims.

Claim rejections

Claims 1-4, 7, 22, 23, 45, 46, 48, 49, 93-97 and 101-103 are rejected under 35 U.S.C. 102(b) as being anticipated by UK Patent application 2 290 239 (UK '239). Claims 93 and 100 are rejected under 35 U.S.C. 102(b) as being clearly by DiBenedetto U.S. Patent 5,746,028. Claims 5, 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over UK '239.

Claims 8-21, 24-44, 47, 98 and 99 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. In view of this indication, claims 8-10, 19-21, 36, 43-44 and 98-99 have been amended with the subject matter of claim 1, and claim 1 has been cancelled. Claim 22 has been amended with the subject matter of cancelled claims 1 and 24. Claim 45 has been amended with the subject matter of cancelled claims 1 and 46-47.

In addition, claims 2-4, 6, 7 and 49 have been amended to dependent from amended claim 8, claim 48 has been amended to depend from amended claim 45, and claims 94, 95, 97, and 100-102 have been amended to dependent from amended claim 98.

Accordingly, no new matter has been entered.

Serial No. 10/089,777
Docket No. KEL 0124 PA

Conclusion

The Applicants respectfully submit that, in view of the above amendments and remarks, the application is now in condition for allowance. The Examiner is encouraged to contact the undersigned to resolve efficiently any formal matters or to discuss any aspects of the application or of this response. Otherwise, early notification of allowable subject matter is respectfully solicited.

Respectfully submitted,
DINSMORE & SHOHL LLP

By



William A. Jividen
Registration No. 42,695

One Dayton Centre
One South Main Street, Suite 1300
Dayton, Ohio 45402-2023
Telephone: (937) 449-6448
Facsimile: (937) 223-0724

WAJ/amm